



## STAFF REPORT ACTION REQUIRED

### Front Yard Parking Appeal – 308 St. John's Road

<b>Date:</b>	January 9, 2013
<b>To:</b>	Etobicoke York Community Council
<b>From:</b>	Director, Transportation Services – Etobicoke York District
<b>Wards:</b>	Ward 13 – Parkdale-High Park
<b>Reference Number:</b>	p:\2013\Cluster B\TRA\EtobicokeYork\eycc130029-tp

#### SUMMARY

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This staff report is about a matter that Etobicoke York Community Council has delegated authority from City Council to make a final decision.

Transportation Services has assessed an appeal to legalize the existing front yard parking at 308 St. John's Road. We do not recommend approving front yard parking at this location because it does not meet the requirements of City of Toronto Municipal Code Chapter 918. The owner will be given an opportunity to make a deputation before Community Council.

#### RECOMMENDATIONS

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**Transportation Services recommends that Etobicoke York Community Council:**

1. Refuse the request for front yard parking at 308 St. John's Road, and require the applicant to remove the existing front yard parking pad at no expense to the City and restore the area to 'soft' landscaping by February 26, 2014.

#### Financial Impact

There is no financial impact to the City as a result of this report.

#### ISSUE BACKGROUND

The property owners of 308 St. John's Road, a semi-detached dwelling, submitted an application to legalize the front yard parking at this location. The applicant was advised that the property is not eligible for front yard parking because it does not meet the regulations of the City of Toronto Municipal Code Chapter 918. The applicant subsequently submitted an appeal requesting further consideration of this proposal.

Attachment 1 shows the site location. Attachment 2 illustrates the existing front yard parking pad. Attachment 3 is a photograph of the site.

## **COMMENTS**

### **Applicable regulations**

Front yard parking is governed by the criteria set out in the City of Toronto Municipal Code Chapter 918, Parking on Residential Front Yards and Boulevards. The relevant provisions include:

- prohibit front yard parking where permit parking is less than 90% allocated
- limit the number of vehicles that can be licensed to one;
- limit the size of the parking area to 2.6 m by 5.9 m in dimension;
- minimum parking space requirement of 2.2 m in width;
- minimum parking space requirement of 5.3 m in length
- minimum parking space requirement of 2.2 m in width by 5.3 m in length;
- a minimum of 50% of the front yard on private property must be landscaped open space, of which 75% must be maintained as soft landscaping;
- a minimum of 50% of the City boulevard fronting the property must be landscaped open space, of which 75% must be maintained as soft landscaping;
- the requirements of the City of Toronto Municipal Code Chapter 813, Trees, are complied with; a minimum clearance of 3.6 meters from the base of the tree is required;
- the parking space to be constructed perpendicular to the sidewalk;
- the parking space cannot be located within the existing mutual driveway;
- the parking space shall be constructed adjacent to the mutual driveway;
- parking area paved with semi-permeable material such as ecostone or turf stone or equivalent permeable paving treatment acceptable to the General Manager of Transportation Services; and
- a formal poll be conducted to determine whether there is neighbourhood support for the application and that such poll has a favourable result.

### **Reasons for not approving**

The property does not meet the above noted criteria for the following reasons:

- permit parking is permitted on the opposite side of the street and is less than 90% allocated;
- the required landscape open space cannot be provided on private property and the City boulevard;
- the required soft landscaping cannot be provided on private property and the City boulevard; and
- the existing concrete paving for the front yard parking pad does not meet the City's requirements for permeable materials.

## Poll results

A poll was conducted in accordance with the City of Toronto Municipal Code Chapter 918-14. The area polled comprised both sides of St. John's Road, from 291 to 313 on the odd side, and from 288 to 320 on the even side. At the Ward Councillor's request, the survey was conducted in English, Polish, and Ukrainian. The survey was conducted by the Clerks' office between December 6, 2012 and January 4, 2013.

Total owners/tenants/residents polled	77	-----
Returned by post office	3	-----
Total eligible voters (total polled minus returned by post office)	74	100%
No reply	36	49%
<b>Total ballots received (response rate)</b>	<b>38</b>	<b>51%</b>
In favour of parking (of ballots received)	32	84%
Opposed to parking (of ballots received)	5	13%
Spoiled ballots	1	3%

The Code states that a poll will be considered valid when at least 25% of the ballots mailed out have been returned. This poll exceeded the minimum response rate and therefore is considered valid. The result of the poll is in favour of this application as the majority of the ballots (84%) returned support this application.

## Other factors

Permit parking on St. John's Road is authorized on the south side of the street. Currently, there is one on-street parking permit registered to this address.

Total number of parking permits on St. John's Road, between Runnymede Road and Jane Street	63	Total permits issued as of January 9, 2013	48
Permits available	17	% of permits allocated	76%

Total number of permit parking spaces on St. John's Road, between Runnymede Road and Beresford Avenue	11	Total permits issued to residents as of January 9, 2013	11
Permits available	0	% of permits allocated	100%

The installation of a ramp at this location will not affect the on street permit parking, since permit parking is authorized on the opposite side of St. John's Road.

On this portion of St. John's Road, between Runnymede Road and Beresford Avenue, there are currently six properties licensed for front yard parking.

## **Alternate recommendations**

The property is not eligible for front yard parking since it does not satisfy the minimum Municipal Code requirements, but should Community Council decide to grant this appeal, it could be approved subject to the following conditions:

1. the parking area shall be 2.6m wide and 5.9m in length;
2. the remaining front yard shall consist of 'soft' landscaping;
3. the applicant shall pay for the planting of a full shade canopy tree on City property in the general area of the property, preferably on the same street, as per the requirements of the City of Toronto Municipal Code Chapter 918, Parking on Residential Front Yards and Boulevards;
4. the applicant shall pay for the installation of the curb ramp to access the parking pad;
5. the applicant shall resurface the parking pad with semi-permeable materials acceptable to the General Manager of Transportation Services;
6. the applicant shall pay all applicable fees and comply with all other criteria described in the City of Toronto Municipal Code;
7. the applicant shall pay the enforcement and inspection fee of \$653.93 (HST included), specified for unauthorized front yard parking pads under Chapter 918-26 of the Toronto Municipal Code;
8. the existing on-street parking permit issued to this address is cancelled immediately following approval of the front yard parking pad;
9. the applicant satisfies these conditions at no expense to the municipality by February 26, 2014.

**CONTACT**

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**SIGNATURE**

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Steven T. Kodama, P.Eng.

Director, Transportation Services, Etobicoke York District

**ATTACHMENTS**

Attachment 1:       Map  
Attachment 2:       Proposed Plan  
Attachment 3:       Photograph